

NATIONAL TRANSPORTATION SAFETY BOARD

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IN RE: :
 :
THE EL FARO INCIDENT OFF THE: NTSB Accident No.
COAST OF THE BAHAMAS ON : DCA16MM001
OCTOBER 1, 2015 :
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INTERVIEW OF: CHRIS DEBERRY

Monday,
October 12, 2015

Jacksonville, Florida

BEFORE:

MIKE KUCHARSKI, NTSB
[REDACTED] U.S. Coast Guard
MELISSA SERRIDGE, TOTE Services
AL SHEPHERD, ABS
KEVIN STITH, TOTE Services
LESLEY STOCKER, Portus

PRESENT ON BEHALF OF THE INTERVIEWEE:

ROBERT DEES, ESQ.

This transcript was produced from audio
provided by the National Transportation Safety Board.

1 P-R-O-C-E-E-D-I-N-G-S

2 1:26 p.m.

3 MR. KUCHARSKI: Okay. Good afternoon
4 everyone. This is Mike Kucharski from the NTSB. I am
5 the group chairman for the Operations Group. And we
6 look at nautical, navigation, cargo type issues.

7 And I'm as I mentioned, from the NTSB.
8 We're meeting here at the Marriott Hotel in
9 Jacksonville. And we're getting ready to interview
10 Chris Debour -- I'm sorry, Deberry, Deberry, relating
11 to the accident or incident with the El Faro RoLo ship
12 owned by SeaStar Lines.

13 The purpose of this investigation is to
14 increase safety, not to assign fault, blame or
15 liability. The NTSB cannot offer any guarantee of
16 confidentiality or immunity from legal or license
17 actions.

18 A transcript or summary of the interview
19 will go into the public docket. The interviewee can
20 have one representative of your choice, of the
21 interviewee's choice.

22 The representative may not testify for the
23 interviewer representatives -- I'm sorry, for the
24 interviewee. The representative's comments should be
25 limited. And objections are not grounds for the NTSB

1 to refrain from asking questions.

2 And let me just stop there. Where it says,
3 the NTSB cannot offer any guarantee of confidentiality
4 or immunity from legal or license actions, we cannot
5 bring them. We have no enforcement powers.

6 So, you know, I mean, the police type, we
7 don't have that. Ours is pure just to determine
8 probable cause. So, are we clear on that?

9 MR. DEBERRY: Yes, sir.

10 MR. KUCHARSKI: You know, as far as that
11 goes. Mr. Deberry, do you mind if we tape this
12 interview?

13 MR. DEBERRY: Not at all.

14 MR. KUCHARSKI: I think I mentioned to you
15 outside that you're welcome to request a copy of the
16 transcript. Please make sure you do. And we'll send
17 it to you before it's put on the public docket.

18 MR. DEBERRY: Okay.

19 MR. KUCHARSKI: And the public docket by the
20 way, that is not released until right about when the
21 big Board, the National Transportation Safety Board
22 convenes in Washington. And it's in a major forum.

23 But, that's about when the docket
24 information goes public. The information goes public.

25 MR. DEBERRY: Okay.

1 MR. KUCHARSKI: Okay. Any questions?

2 MR. DEBERRY: No, sir.

3 MR. KUCHARSKI: Okay. I'd like to go around
4 the room. I've introduced myself. I'll start to my
5 left for the other attendees of this interview, for
6 them to identify themselves. Ma'am?

7 MS. STOCKER: I'm Leslie Stocker, the Risk
8 Manager for Portus.

9 MR. SHEPHERD: Hi, my name is Al Shepherd.
10 I'm with the American Bureau of Shipping. I deal with
11 Management Systems Certifications and Corporate Audits.

12 MR. STITH: Kevin Stith with TOTE Services.
13 I'm in the Operations Group.

14 MS. SERRIDGE: Melissa Serridge, HR Manager
15 for TOTE Services. And I'm in the Human Factors Group.

16 MR. [REDACTED] [REDACTED] with the Coast
17 Guard. I'm with the Operation's Group.

18 MR. DEES: Robert Dees. I'm the attorney
19 for Portus.

20 MR. KUCHARSKI: Okay. Just as attorney for
21 Portus, you're not in the groups. So, are you also a
22 personal representative of the interviewee?

23 MR. DEES: If -- I think it's his choice.
24 And if Mr. Deberry wants me to act as his personal
25 representative, then I will be in that role.

1 MR. DEBERRY: Yes, sir.

2 MR. KUCHARSKI: Yes. He will -- okay. He's
3 -- you're with --

4 MR. DEES: Okay.

5 MR. KUCHARSKI: Mr. Deberry, sorry, what did
6 you say? Did you say yes?

7 MR. DEBERRY: Yes.

8 MR. KUCHARSKI: Okay, great. Thank you.
9 Okay. It is now 1326 on Monday the 12th. And we'll
10 start the interview.

11 Mr. Deberry, would you tell us your title
12 please?

13 MR. DEBERRY: Vessel Superintendent.

14 MR. KUCHARSKI: Vessel Superintendent. Who
15 do you work for?

16 MR. DEBERRY: Portus Services.

17 MR. KUCHARSKI: Portus, P-O-R-T-U-S?

18 MR. DEBERRY: Yes, sir.

19 MR. KUCHARSKI: Services? Great. And would
20 you spell your name for the record?

21 MR. DEBERRY: My name, full name?

22 MR. KUCHARSKI: Please.

23 MR. DEBERRY: On my license?

24 MR. KUCHARSKI: Please.

25 MR. DEBERRY: It's Christopher, C-H-R-I-S-T-

1 O-P-H-E-R Matthew, M-A-T-T-H-E-W Deberry, D-E-B-E-R-R-
2 Y.

3 MR. KUCHARSKI: Okay. Thank you.

4 MR. DEBERRY: Sure.

5 MR. KUCHARSKI: And you mentioned on your
6 license. Is this a driver's license that you're
7 talking about?

8 MR. DEBERRY: Yes, sir.

9 MR. KUCHARSKI: Okay, great. So, you're
10 Vessel Superintendent. And could you give us some
11 background before you came to this position, of your
12 maritime related schooling? Or courses? Or
13 employment?

14 Everything relating directly to your current
15 position.

16 MR. DEBERRY: My background out there, so
17 I've been there 18 years. So I've been there since I
18 was a kid. Previous, I don't have any. I went to
19 school. I went to work there. I've been there ever
20 since.

21 I started out as a gang man. And just
22 slowly worked my way up, you know.

23 MR. KUCHARSKI: And what is a gang man?

24 MR. DEBERRY: Just a basic labor -- labor
25 guy.

1 MR. KUCHARSKI: So you worked for Portus as
2 a labor guy?

3 MR. DEBERRY: Well, it was previously
4 Coastal Maritime Services. But, yes.

5 MR. KUCHARSKI: Okay. And did you also act
6 as a longshoreman any of that time?

7 MR. DEBERRY: Yes. Well, what do you
8 consider a longshoreman?

9 MR. KUCHARSKI: Well, tell me what you did
10 then as a gang man and then working your way up. Could
11 you give us?

12 MR. DEBERRY: I started out in lashing,
13 which is tying the equipment down. And then I worked
14 my way into the top man, which is the guy up top on the
15 weather deck.

16 Overseeing for the crane operator, landing
17 the containers. Making sure they land correctly.
18 Twist locks are locked. Lashing those containers as
19 well.

20 And then I moved into the Ship Foreman role.
21 Which was basically just the foreman of -- basically
22 the highest job in the union. Just overseeing
23 everything from unloading the cargo, loading the cargo,
24 lashing the cargo.

25 And then I was moved to management. And

1 that's where I've been ever since.

2 MR. KUCHARSKI: And when you moved to
3 management, so you went from Ship Foreman to Vessel
4 Superintendent?

5 MR. DEBERRY: Yes, sir.

6 MR. KUCHARSKI: And you said union. What
7 union was that?

8 MR. DEBERRY: SIU.

9 MR. KUCHARSKI: SIU. And when you were a
10 Ship Foreman, that was as an SIU member?

11 MR. DEBERRY: Yes, sir.

12 MR. KUCHARSKI: Are you still an SIU member?

13 MR. DEBERRY: No, sir.

14 MR. KUCHARSKI: No. Okay. Any other unions
15 that you belong to?

16 MR. DEBERRY: No, sir.

17 MR. KUCHARSKI: I won't say it. I'll
18 refrain. So, Vessel Superintendent now. You worked
19 for Coastal. You started out lashing and doing all
20 kinds of jobs.

21 And you said that lashing the cargo was
22 basically securing the cargo to the deck of the ship?

23 MR. DEBERRY: Yes, sir.

24 MR. KUCHARSKI: Okay, great. And now at
25 your present position as the Vessel Superintendent, can

1 you tell us what your duties would be?

2 MR. DEBERRY: Yes. Now I manage labor.
3 SeaStar orders labor, we bring the labor in. And I
4 oversee it just to make sure everything's getting done.

5 Making sure the cargo is getting unlashd.
6 Making sure my guys are working, you know.

7 MR. KUCHARSKI: So it's purely labor?

8 MR. DEBERRY: Yes.

9 MR. KUCHARSKI: You don't do anything else
10 with stow plans or calculations or anything?

11 MR. DEBERRY: I do do stow plans sometimes.
12 From time to time, me and another guy rotate. But yes,
13 nothing to do with calculations.

14 MR. KUCHARSKI: Okay. And who would do the
15 stow plans on the ship? For the ship? The pre-stow
16 and the stows, do you know?

17 MR. DEBERRY: Butch Newkirk and myself
18 rotate. There are two of us.

19 MR. KUCHARSKI: Okay.

20 MR. DEBERRY: Now that's stow plans. Not
21 anything to do with calculations.

22 MR. KUCHARSKI: And does Butch Newkirk work
23 for you or is he a counterpart to you? Same
24 superintendent?

25 MR. DEBERRY: Same.

1 MR. KUCHARSKI: Okay. Did you actually do
2 the stow plan for the El Faro?

3 MR. DEBERRY: No, sir.

4 MR. KUCHARSKI: Okay. Is there such a thing
5 as a pre-stow plan?

6 MR. DEBERRY: Yes, sir.

7 MR. KUCHARSKI: And who holds onto that?

8 MR. DEBERRY: Everybody gets a copy, sir.

9 MR. KUCHARSKI: Everybody. So, the ship
10 gets a copy of the pre-stow plan?

11 MR. DEBERRY: We give it to TOTE. What they
12 do with it, I don't know.

13 MR. KUCHARSKI: So you do the pre-stow plan
14 and the final stow plan? Do you have a final also?
15 And you give it TOTE?

16 MR. DEBERRY: Yes.

17 MR. KUCHARSKI: And then you don't know what
18 happens after that?

19 MR. DEBERRY: Yes they -- they're putting it
20 in a system the entire time throughout the day as we --
21 every time we do a bay plan, they get a copy
22 immediately.

23 TOTE's putting it in their system. Doing
24 the calculations pre-stow. Not pre-stow, sorry. The
25 calculations for stability. And that's it.

1 So, did you -- during the course of the El
2 Faro's load-out the 28th/29th of September, you gave
3 this pre-stow information to who?

4 MR. DEBERRY: Well, I didn't, because I
5 wasn't stowing the vessel that day. But, we give it to
6 them.

7 MR. KUCHARSKI: Okay. I will mention, we'll
8 have to get Butch Newkirk in here then. But, I'll get
9 basic information.

10 So, because I probably -- so you were not
11 working the ship at all?

12 MR. DEBERRY: I was working the ship. I was
13 -- just wasn't stowing that day.

14 MR. KUCHARSKI: So what were you working the
15 ship doing?

16 MR. DEBERRY: Managing labor. Just
17 supervising labor.

18 MR. KUCHARSKI: So would you go down
19 physically on the ship?

20 MR. DEBERRY: I can't recall if I did that
21 day. But yes, normally I make runs through there, go
22 on the ship, come up the ship and make sure the guys
23 are working.

24 MR. KUCHARSKI: But you -- are you looking
25 at the lashings or anything like that?

1 MR. DEBERRY: Oh, yes.

2 MR. KUCHARSKI: So, do you recollect looking
3 at the lashings on that day?

4 MR. DEBERRY: Yes, we look everyday on every
5 vessel.

6 MR. KUCHARSKI: Okay, let -- I know you said
7 we. I'm asking you, because we just need to find out
8 who is the person that is checking things?

9 MR. DEBERRY: We have a ship foreman that is
10 checking that all day long.

11 MR. KUCHARSKI: Okay. Yourself, were you
12 physically checking any?

13 MR. DEBERRY: No, sir.

14 MR. KUCHARSKI: Okay. Sorry, I'm not trying
15 to trap somebody. I'm just trying to understand.
16 Because we get so many little conflicting things that
17 it's -- we need to really find --

18 MR. DEBERRY: Oh, I know.

19 MR. KUCHARSKI: Out who it is that was
20 physically there looking at these different things.
21 So, on that particular day, Butch Newkirk did the pre-
22 stow plans and the stow plans?

23 MR. DEBERRY: Yes, sir.

24 MR. KUCHARSKI: Okay. Do you have any type
25 of log that you keep of events during the day?

1 MR. DEBERRY: Yes.

2 MR. KUCHARSKI: Is it called the log?

3 MR. DEBERRY: We call it our receipt for
4 extra services.

5 MR. KUCHARSKI: I'm sorry?

6 MR. DEBERRY: A receipt.

7 MR. KUCHARSKI: A receipt for extra
8 services?

9 MR. DEBERRY: Yes.

10 MR. KUCHARSKI: And does this document
11 proceed -- do you put times in there and -- when
12 certain things happen?

13 MR. DEBERRY: Yes, sir.

14 MR. KUCHARSKI: Is that what that is? Do
15 you also have first load on, last load type of
16 information on that?

17 MR. DEBERRY: Yes. It's from beginning to
18 end. It's every -- we literally calculate it every six
19 minutes, you know, is how we keep track of it.

20 MR. KUCHARSKI: You calculate what every six
21 minutes?

22 MR. DEBERRY: Well, I mean, that's what we -
23 - like a .1, .2. That's either six minutes or 12
24 minutes. Do you understand?

25 MR. KUCHARSKI: I see. I see. Of the hours

1 -- yes.

2 MR. DEBERRY: That's how we keep track of
3 it.

4 MR. KUCHARSKI: Got you. So, if I happened
5 at 10:06, you put 10.1 or something like that?

6 MR. DEBERRY: That's right.

7 MR. KUCHARSKI: Okay. So that documents.
8 What else is on that receipt?

9 MR. DEBERRY: It's basically just a general
10 description of what maybe we were doing. Like, whether
11 it's a say, 10:00 to 10:06 unlashing. 10:06 to 10:24
12 discharging cargo.

13 MR. KUCHARSKI: Perfect. Perfect.

14 MR. DEBERRY: 10:24 to 10:36 lowering cargo.

15 MR. KUCHARSKI: Would shifting, putting on a
16 wrap be on there?

17 MR. DEBERRY: Yes.

18 MR. KUCHARSKI: Okay. It's a RoLo, you roll
19 on the cargo --

20 MR. DEBERRY: Right.

21 MR. KUCHARSKI: So, putting the ramp on.

22 MR. DEBERRY: Yes, sir. Yes.

23 MR. KUCHARSKI: Would it also include any
24 crane movements?

25 MR. DEBERRY: Yes. There's one for the RoRo

1 operation.

2 MR. KUCHARSKI: Um-hum.

3 MR. DEBERRY: And then there's one for each
4 crane operation.

5 MR. KUCHARSKI: Got you. Got you. Okay.
6 And included in there would be the time when they take
7 breaks?

8 MR. DEBERRY: Yes, sir.

9 MR. KUCHARSKI: Great. Great. So, we will
10 ask for that. It's called the Receipt of Extra
11 Service.

12 MR. DEBERRY: Yes, sir.

13 MR. KUCHARSKI: Receipt for Extra Service.
14 All right. Okay. Can you tell me if there is a
15 different method of -- either different method or
16 number of lashings that are put on seasonally?

17 Do you have any seasons that you change over
18 and you put more lashings on or less lashings?

19 MR. DEBERRY: We used to. Now we just --
20 they call it hurricane lashing, we do it year around.
21 So no, there's not a seasonal anymore.

22 MR. KUCHARSKI: Okay. And what is a typical
23 hurricane lashing? Or how do you divide them up what
24 to put on, you know, depending on the stow?

25 MR. DEBERRY: We -- I don't know if you're

1 familiar with the roll lock box system?

2 MR. KUCHARSKI: I'm intimately familiar,
3 yes.

4 MR. DEBERRY: Well, you are. You are
5 because you're a former --

6 MR. KUCHARSKI: But you got to -- yes.

7 MR. DEBERRY: But, so do I need to --

8 MR. KUCHARSKI: Please yes. For the record,
9 yes tell us.

10 MR. DEBERRY: On the RoRo trailers there is
11 a roll lock box that attaches to the fifth wheel of
12 each truck or each trailer container that was parked on
13 the RoRo vessels.

14 MR. KUCHARSKI: Can I stop you for a second.
15 It goes to the fifth wheel of the truck? Or does it go
16 to the kingpin of the trailer?

17 MR. DEBERRY: It goes to the kingpin. Yes,
18 sir.

19 MR. KUCHARSKI: Okay. Thank you.

20 MR. DEBERRY: So, it locks to the kingpin.
21 That roll lock box has a locking mechanism that locks
22 down to the deck of the vessel. The vessel has a
23 button on the deck of the vessel. This locks to the
24 button.

25 It turns locks, then it's got a triangle

1 piece that screws down to tighten it. Which we hand
2 tighten it then we beat it with a sledge hammer to make
3 sure it's locked. Each one.

4 And then there's also four chains on each
5 trailer, two in the front, two in the back. We do that
6 year round.

7 MR. KUCHARSKI: Do you put extra lashings on
8 if need be?

9 MR. DEBERRY: When requested. If it's
10 requested by the Chief Mate, we do extra.

11 MR. KUCHARSKI: Are there any differences in
12 that you mentioned four chains, the roll lock box and
13 four chains?

14 MR. DEBERRY: Yes, sir.

15 MR. KUCHARSKI: That's considered hurricane?

16 MR. DEBERRY: Yes.

17 MR. KUCHARSKI: And two chains at the
18 forward end, two chains at the after end?

19 MR. DEBERRY: Yes, sir.

20 MR. KUCHARSKI: And the forward two chains,
21 are they attached to the trailer or the roll lock?

22 MR. DEBERRY: To the trailer.

23 MR. KUCHARSKI: To the trailer. Have you in
24 your experience noticed any difference with trailers
25 that are TOTE or do you have any -- did they have any

1 that were SeaStar trailers? Do they have any of their
2 own trailers?

3 MR. DEBERRY: I don't understand.

4 MR. KUCHARSKI: The company SeaStar.

5 MR. DEBERRY: Um-hum.

6 MR. KUCHARSKI: SeaStar Shipping, do they
7 have any trailers that they own of their own?

8 MR. DEBERRY: Yes.

9 MR. KUCHARSKI: They do. I mean, for
10 instance some may be the old Sea Land. Some may be
11 Horizon or Maersk. But they have their own trailers?

12 MR. DEBERRY: Yes.

13 MR. KUCHARSKI: Are those trailers the --
14 and when we talk about trailers, let's say the standard
15 40 foot over the road type trailer. Do they have any
16 differences in the secure points on the trailers
17 themselves?

18 MR. DEBERRY: No, I don't think so.

19 MR. KUCHARSKI: Are they all into the
20 container, the box itself? Or are they into the
21 chassis?

22 MR. DEBERRY: They're into the trailer
23 itself.

24 MR. KUCHARSKI: Trailer itself.

25 MR. DEBERRY: Yes, sir.

1 MR. KUCHARSKI: And they all have heavy duty
2 type arrangement where you can go ahead and put those
3 in?

4 MR. DEBERRY: Yes, sir.

5 MR. KUCHARSKI: Put the lashing into?

6 MR. DEBERRY: Yes, sir.

7 MR. KUCHARSKI: Okay. And again, you said
8 it's two fore and two aft. Does it matter if those
9 trailers are outboard or inboard as far as the lashings
10 go?

11 MR. DEBERRY: It does matter. The actual
12 outboards are the ones that are supposed to get the
13 hurricane lashing.

14 MR. KUCHARSKI: Okay. And what is that?

15 MR. DEBERRY: And that's the ones up against
16 the wings all the way down the vessel. That is 3D on
17 the third deck. The wings, 3C the wings.

18 MR. KUCHARSKI: And when you say wings, what
19 do you mean?

20 MR. DEBERRY: The ones alongside the wall.

21 MR. KUCHARSKI: Alongside the wall. Would
22 the wall be in the middle of the ship?

23 MR. DEBERRY: It's on the port side and the
24 starboard side.

25 MR. KUCHARSKI: On the starboard side.

1 Would they be outboard all the way up when you say
2 against the wall, the bulkheads on the side of the
3 ship?

4 MR. DEBERRY: The sides of the ship.

5 MR. KUCHARSKI: Is that what you're talking
6 about when you say wings?

7 MR. DEBERRY: Yes, sir.

8 MR. KUCHARSKI: Okay. And is there --

9 MR. DEBERRY: And als -- sorry. Also, in
10 the thwart ship parked trailer, we do the same, no
11 matter where it's at.

12 MR. KUCHARSKI: And thwart ship trailer?

13 MR. DEBERRY: Yes, sir.

14 MR. KUCHARSKI: Okay. And what is then the
15 hurricane lashing that is done there?

16 MR. DEBERRY: That is it. That's what we do
17 year round.

18 MR. KUCHARSKI: Where you just put four
19 chains on?

20 MR. DEBERRY: Yes, sir.

21 MR. KUCHARSKI: Do you put more chains on?

22 MR. DEBERRY: If requested.

23 MR. KUCHARSKI: Just if requested. But not
24 as a standard practice?

25 MR. DEBERRY: No, sir.

1 MR. KUCHARSKI: So you would put -- a
2 hurricane lashing would be two forward, two aft chains
3 and the roll lock box --

4 MR. DEBERRY: Locked in.

5 MR. KUCHARSKI: Locked in.

6 MR. DEBERRY: Yes, sir.

7 MR. KUCHARSKI: And those would be on the
8 side of the ship?

9 MR. DEBERRY: Yes, sir.

10 MR. KUCHARSKI: What about those that are in
11 the center?

12 MR. DEBERRY: Those are locked in as well
13 still by the roll lock boxes and two chains on the
14 back.

15 MR. KUCHARSKI: Two chains on the back.
16 Great.

17 MR. DEBERRY: Three-A on the third deck also
18 gets hurricane lashing as well. The entire hold.

19 MR. KUCHARSKI: I'm sorry, 3A hold?

20 MR. DEBERRY: Yes, sir.

21 MR. KUCHARSKI: Where is that?

22 MR. DEBERRY: It is the -- as soon as you go
23 down the third deck ramp, that first hold.

24 MR. KUCHARSKI: And why is that?

25 MR. DEBERRY: That's just what was requested

1 and we've always done it. Requested by tows and we've
2 always done it. Or not tows, but the vessel crew.

3 MR. SHEPHERD: May I clarify one point?

4 MR. KUCHARSKI: Oh, yes. Sure.

5 MR. SHEPHERD: Al Shepherd, ABS.

6 MR. DEBERRY: Yes, sir.

7 MR. SHEPHERD: You mentioned 3D a minute
8 ago. Is it 3D and 3A that get hurricane lashings go
9 up?

10 MR. DEBERRY: No. I was saying 3D, 3C, 3B,
11 all the way out the wings.

12 MR. SHEPHERD: Okay.

13 MR. DEBERRY: And anything thwart ship and
14 all of 3A.

15 MR. SHEPHERD: Good. Thank you.

16 MR. DEBERRY: Yes, sir.

17 MR. SHEPHERD: Thanks, Mike.

18 MR. KUCHARSKI: And just, let me make sure I
19 got it right. The hurricane lashing is the addition of
20 two more chains up forward, the front end.

21 MR. DEBERRY: Yes.

22 MR. KUCHARSKI: As opposed too before, a
23 standard lashing would be just a roll lock box on the
24 pin and two chains back aft?

25 MR. DEBERRY: Yes, sir.

1 MR. KUCHARSKI: Anybody else have questions?
2 I'm sorry. Okay.

3 MR. SHEPHERD: Could you just repeat what
4 you just said. Make sure I understand.

5 MR. KUCHARSKI: Could I repeat? Yes. The
6 difference between a hurricane lashing and a standard
7 lashing is that they merely add two chains to the front
8 end of the box, into the box itself, not the roll --
9 into the trailer itself, not the roll lock box.

10 MR. SHEPHERD: Um-hum.

11 MR. KUCHARSKI: And then from the trailer
12 they go to the deck.

13 MR. DEBERRY: Yes, sir.

14 MS. SERRIDGE: I do have one question. You
15 said that --

16 MR. KUCHARSKI: Could you identify yourself?

17 MS. SERRIDGE: I'm sorry, Melissa Serridge,
18 TOTE Services. You said that the extra lashings were
19 put on because it was requested. Was that just this
20 trip? Or in general, every time that's you have to
21 request it?

22 MR. DEBERRY: With which one? Which part?

23 MS. SERRIDGE: You said that the extra
24 lashings were done through 3 --

25 MR. DEBERRY: We do that every ship.

1 MS. SERRIDGE: Every ship? Okay.

2 MR. DEBERRY: Every ship year round.

3 MS. SERRIDGE: And that's now?

4 MR. DEBERRY: Yes.

5 MS. SERRIDGE: Okay.

6 MR. KUCHARSKI: And just to clarify, that's
7 hurricane. And that's done regular practice now
8 period.

9 MR. DEBERRY: Yes, sir. The reason for it
10 was we would get a different Chief Mate on. They have
11 different ideas. You know, one wants it. One doesn't
12 want, it wants this.

13 We decided to do it year round and be done
14 with it. So there's not a change.

15 MR. KUCHARSKI: With the hurricane lashings?

16 MR. DEBERRY: Yes, sir. Year round.

17 MR. STITH: Kevin Stith from TOTE Services.
18 Just into -- keep adding more for this. But, if a roll
19 lock box isn't on the button, how would you typically
20 lash that?

21 MR. DEBERRY: If one's not on the button and
22 two more chains are added as well, and they go to the
23 sun box.

24 MR. STITH: Okay.

25 MR. DEBERRY: So it's six chains on those

1 trailers.

2 MR. STITH: Six chains. Okay. Thank you.

3 MR. SHEPHERD: Al Shepherd, American BS.

4 Chris, while we're on this one. I understand you do
5 the exterior trailers, the hurricane lashings, the one
6 next to the side shelf.

7 And then you also mentioned about -- I just
8 want just this one clarification. You also mentioned
9 one about thwart ship that always gets the hurricane
10 lashes.

11 So, can you explain that? The one at thwart
12 ship?

13 MR. DEBERRY: Yes. The standard way to do
14 them is, you know, most trailers get back in or pulled
15 straight in. And they're parallel with the ship. You
16 know, they're forward/aft.

17 MR. SHEPHERD: Right.

18 MR. DEBERRY: There is positions like a good
19 example is in 3C. The trailers instead of being
20 forward/aft, they're port/starboard.

21 MR. SHEPHERD: Right.

22 MR. DEBERRY: They face that way, you know.

23 MR. SHEPHERD: Right. Right.

24 MR. DEBERRY: Across the ship.

25 MR. SHEPHERD: Right.

1 MR. DEBERRY: So those, no matter where
2 they're at, they get hurricane lashing.

3 MR. SHEPHERD: Yes. So, any trailer that's
4 thwart ship versus fore and aft gets?

5 MR. DEBERRY: Yes, sir. Yes, sir.

6 MR. SHEPHERD: Okay. Thank you.

7 MR. DEBERRY: You're welcome.

8 MR. KUCHARSKI: On your Receipt for Extra
9 Services, do you also -- does someone from Portus look
10 at the draft marks on the ship before it sails?

11 MR. DEBERRY: No.

12 MR. KUCHARSKI: Is there a master list of
13 specific stow restrictions? Places you can't put
14 certain stows? You can't do certain size stows?

15 I'm not talking about dangerous cargo type
16 restrictions or hazardous cargo.

17 MR. DEBERRY: Um-hum.

18 MR. KUCHARSKI: I'm just talking about
19 restrictions, putting it in certain places on the ship.

20 MR. DEBERRY: On our pre-stows, it basically
21 has the -- shows the size on there before we even mess
22 with it. We just do a model of it, you know. Yes.

23 Actually, it just shows block on there, so.

24 MR. KUCHARSKI: Like stow positions?

25 MR. DEBERRY: Yes. Stow positions with

1 numbers on each stow position.

2 MR. KUCHARSKI: But is there any other sheet
3 or list of items that you're not supposed to do when
4 you're stowing in certain positions on the ship?

5 MR. DEBERRY: I don't understand.

6 MR. KUCHARSKI: I'm just trying to think how
7 I can rephrase it. You don't have any master list of
8 things that you'd -- stows let's say you wouldn't put a
9 certain stow next to a certain item by the stow plan.

10 MR. DEBERRY: We have hazmat charts. I
11 don't know if you're talking about hazmat?

12 MR. KUCHARSKI: No.

13 MR. DEBERRY: You're not?

14 MR. KUCHARSKI: No. Just things you
15 wouldn't want to put near a ventilation area. Or you
16 need to leave a certain amount of space there. Or you
17 may not want to put an animal trailer in a certain
18 place.

19 You may want to --

20 MR. DEBERRY: We -- there are animal
21 trailers that we get. But yes, stay out by the opening
22 where the ramp mounts for ventilation purposes.

23 And when we load one of those, we do leave a
24 space empty next to it for ventilation for that.

25 MR. KUCHARSKI: Are there -- okay, for

1 instance like that. Are -- is that on a list of any
2 ones that you have which tell you not to do something,
3 or what to do --

4 MR. DEBERRY: No.

5 MR. KUCHARSKI: For special? Did you have
6 any discussion, conversation with either the Master or
7 the Mate on this particular voyage?

8 MR. DEBERRY: No, sir.

9 MR. KUCHARSKI: And -- but you were there at
10 the offices while she was being loaded?

11 MR. DEBERRY: Yes, sir.

12 MR. KUCHARSKI: And you were just managing
13 labor on that day?

14 MR. DEBERRY: Yes, I was.

15 MR. KUCHARSKI: And Butch Newkirk was the
16 one that did the pre- and -- pre-stow and final stow
17 process?

18 MR. DEBERRY: Yes.

19 MR. [REDACTED] [REDACTED] with the Coast
20 Guard. So, Butch Newkirk, is he also -- is his title
21 also Vessel Superintendent? Are you both --

22 MR. DEBERRY: Yes, sir.

23 MR. [REDACTED] The same job?

24 MR. DEBERRY: Um-hum.

25 MR. [REDACTED] And you're both on duty at the

1 same time?

2 MR. DEBERRY: Yes, sir.

3 MR. [REDACTED] You just alternate what your
4 individual roles are?

5 MR. DEBERRY: Yes, sir.

6 MR. KUCHARSKI: So, this is Mike Kucharski
7 again. So, a follow on there. Another vessel, you may
8 be doing the pre-stow plans and the final stow plans,
9 and then Butch may be managing labor?

10 MR. DEBERRY: Yes, sir. For the most part
11 it's pretty set. Butch usually stows the vessels. And
12 I usually stow the barges. That's how we kind of
13 rotate it.

14 MR. KUCHARSKI: And then who handles -- does
15 this Butch ever handle the labor end that you talk
16 about? Managing labor?

17 MR. DEBERRY: Yes, sir.

18 MR. KUCHARSKI: So he does. Then do you
19 switch on that? You stow the barges and he handles the
20 labor for that?

21 MR. DEBERRY: Yes, sir.

22 MR. KUCHARSKI: Okay. Clear. Questions for
23 the group?

24 MR. STITH: Kevin Stith with TOTE Services.
25 In stowing the vessel, especially with the second deck

1 trailers, do you typically use leave like a safety lane
2 or something for access to safety equipment? Things
3 like that?

4 MR. DEBERRY: Yes, sir. When we're parking
5 the trailers, you know, we don't get them tight up to
6 the wall. We make sure there's space left.

7 MR. STITH: And does the man on watch
8 usually notify the longshoreman if there's an issue?

9 MR. DEBERRY: Yes.

10 MR. STITH: Okay. Thank you.

11 MR. DEBERRY: You're welcome.

12 MR. KUCHARSKI: And who would he -- who
13 would this -- Mike Kucharski. Who of the longshoremen
14 would he notify, the man on watch?

15 MR. DEBERRY: The Ship Foreman.

16 MR. KUCHARSKI: The Ship Foreman. In this
17 case that was Mr. Calloway?

18 MR. DEBERRY: Yes, sir.

19 MR. SHEPHERD: Al Shepherd, ABS. Chris,
20 with regard to -- you know, the El Faro was in weekly
21 basically, right?

22 MR. DEBERRY: Yes, sir.

23 MR. SHEPHERD: So you probably see the same
24 ship, the same crew, pretty routinely, right?

25 MR. DEBERRY: Yes, sir.

1 MR. SHEPHERD: What would -- so, you see the
2 same people often. Do you have a rapport built up with
3 any of the crew members? So you know some of them by
4 name?

5 MR. DEBERRY: Yes, I do.

6 MR. SHEPHERD: Okay. So at the time of
7 loading, you have various conversations, be they work
8 related or sometimes just pleasant conversations about
9 a variety of things?

10 MR. DEBERRY: Sometimes, yes.

11 MR. SHEPHERD: Yes. Any of those persons
12 onboard you know -- or you have a -- you know
13 personally, like you maybe could go to get a beer or
14 something together?

15 MR. DEBERRY: No, sir.

16 MR. SHEPHERD: Okay. Just talking
17 situation. With that -- with regard to that, how would
18 you say was the demeanor of the crew on the El Faro on
19 that date? On the date of loading?

20 MR. DEBERRY: Every -- they all seemed fine
21 to me. I mean, I don't

22 MR. SHEPHERD: Yes. Nothing out --

23 MR. DEBERRY: No red flags. No, sir.

24 MR. SHEPHERD: Right. Nothing out of the
25 ordinary wise?

1 MR. DEBERRY: No, sir.

2 MR. SHEPHERD: No one was --- no one made
3 any concern, or voiced any concerns of anything towards
4 ship operations or --

5 MR. DEBERRY: No, sir.

6 MR. SHEPHERD: Okay. What were the dates
7 you worked -- was it -- what were the days you were
8 load? Was it just one day?

9 MR. DEBERRY: Yes, sir. Just about Tuesday.

10 MR. SHEPHERD: Okay. Thank you.

11 MR. KUCHARSKI: Well, let me follow on that
12 question. You said you didn't talk to the Master that
13 day.

14 MR. DEBERRY: No, I didn't.

15 MR. KUCHARSKI: You didn't talk to the Mate
16 that day?

17 MR. DEBERRY: No.

18 MR. KUCHARSKI: So who else would you
19 normally talk to then?

20 MR. DEBERRY: I didn't -- I mean, if we're
21 getting an order from somebody, it comes from the Chief
22 Mate or the Captain.

23 MR. KUCHARSKI: Okay.

24 MR. SHEPHERD: Thank you.

25 MR. KUCHARSKI: Thank you.

1 MR. DEBERRY: You're welcome.

2 MR. KUCHARSKI: Any other questions?

3 (No response.)

4 MR. KUCHARSKI: Okay. I'll stop the
5 interview. It's 1353 on the 12th. Thank you very much
6 for your time. I appreciate it.

7 MR. DEBERRY: Yes, sir. You're welcome.

8 (Whereupon, the above-entitled matter went
9 off the record at 1:53 p.m.)

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<hr/> <p style="text-align: center;">A</p> <hr/> <p>above-entitled 33:8 ABS 1:14 22:5 30:19 access 30:2 accident 1:4 2:11 act 4:24 7:5 actions 2:17 3:4 actual 19:11 add 23:7 added 24:22 adding 24:18 addition 22:19 aft 19:8 21:2 22:24 26:4 afternoon 2:3 ago 22:8 ahead 19:2 AI 1:14 4:9 22:5 25:3 30:19 alongside 19:20,21 als 20:9 alternate 29:3 American 4:10 25:3 amount 27:16 animal 27:17,20 Anybody 23:1 anymore 15:21 appreciate 33:6 area 27:15 arrangement 19:2 asking 3:1 12:7 assign 2:14 attached 17:21 attaches 16:11 attendees 4:5 attorney 4:18,20 audio 1:23 Audits 4:11</p> <hr/> <p style="text-align: center;">B</p> <hr/> <p>back 17:5 21:14,15 22:24 25:14 background 6:11 6:16 BAHAMAS 1:4 barges 29:12,19 basic 6:24 11:9</p>	<p>basically 7:21,21 8:22 14:9 26:20 30:21 bay 10:21 beat 17:2 beer 31:13 beginning 13:17 BEHALF 1:18 belong 8:15 big 3:21 blame 2:14 block 26:23 Board 1:1,23 3:21 3:21 box 16:1,11,21 17:12 18:20 21:3 22:23 23:8,8,9 24:19,23 boxes 21:13 breaks 15:7 bring 3:5 9:3 BS 25:3 built 31:2 bulkheads 20:2 Bureau 4:10 Butch 9:17,22 11:8 12:21 28:15,20 29:9,11,15 button 16:23,24 24:19,21</p> <hr/> <p style="text-align: center;">C</p> <hr/> <p>C-H-R-I-S-T 5:25 calculate 13:18,20 calculations 9:10 9:13,21 10:24,25 call 13:3 15:20 called 13:2 15:10 Calloway 30:17 Captain 32:22 cargo 2:6 7:23,23 7:24 8:21,22 9:5 14:12,14,19 26:15 26:16 case 30:17 cause 3:8 center 21:11 certain 13:12 26:14</p>	<p>26:14,19 27:4,9,9 27:16,17 Certifications 4:11 chains 17:4,12,13 17:17,18,20 20:19 20:21 21:2,13,15 22:20,24 23:7 24:22,25 25:2 chairman 2:5 change 15:17 24:14 charts 27:10 chassis 18:21 checking 12:8,10 12:12 Chief 17:10 24:10 32:21 choice 2:20,21 4:23 Chris 1:7 2:10 25:4 30:19 Christopher 5:25 clarification 25:8 clarify 22:3 24:6 clear 3:8 29:22 Coast 1:4,13 4:16 28:19 Coastal 7:4 8:19 come 11:22 comes 32:21 comments 2:24 company 18:4 concern 32:3 concerns 32:3 confidentiality 2:16 3:3 conflicting 12:16 consider 7:8 considered 17:15 container 16:12 18:20 containers 7:17,18 convenes 3:22 conversation 28:6 conversations 31:7 31:8 copy 3:15 10:8,10 10:21 Corporate 4:11 correctly 7:17</p>	<p>counterpart 9:23 course 11:1 courses 6:12 crane 7:16 14:24 15:4 crew 22:2 30:24 31:3,18 current 6:14</p> <hr/> <p style="text-align: center;">D</p> <hr/> <p>D-E-B-E-R-R 6:1 dangerous 26:15 date 31:19,19 dates 32:6 day 10:20 11:5,13 11:21 12:3,10,21 12:25 28:13 32:8 32:13,16 days 32:7 DCA16MM001 1:4 deal 4:10 Deberry 1:7 2:10,10 3:9,11,13,18,25 4:2,24 5:1,5,7,11 5:13,16,18,21,23 5:25 6:1,4,8,16,24 7:3,7,12 8:5,8,11 8:13,16,23 9:2,8 9:11,17,20,25 10:3,6,8,11,16,19 11:4,12,16,20 12:1,4,9,13,18,23 13:1,3,6,9,13,17 13:22 14:2,6,9,14 14:17,20,22,25 15:3,8,12,19,25 16:4,7,10,17,20 17:9,14,16,19,22 18:3,5,8,12,18,22 18:25 19:4,6,11 19:15,20,23 20:4 20:7,9,13,16,20 20:22,25 21:4,6,9 21:12,17,20,22,25 22:6,10,13,16,21 22:25 23:13,22,25 24:2,4,9,16,21,25 25:13,18,22,24</p>
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26:1,5,7,11,17,20
 26:25 27:5,10,13
 27:20 28:4,8,11
 28:14,18,22,24
 29:2,5,10,17,21
 30:4,9,11,15,18
 30:22,25 31:5,10
 31:15,20,23 32:1
 32:5,9,14,17,20
 33:1,7
Debour 2:10
decided 24:13
deck 7:15 8:22
 16:22,23 19:17
 21:17,23 23:12
 29:25
Dees 1:19 4:18,18
 4:23 5:4
demeanor 31:18
 [REDACTED] 1:13 4:16
 4:16 28:19,19,23
 28:25 29:3
depending 15:24
description 14:10
determine 3:7
difference 17:24
 23:6
differences 17:11
 18:16
different 12:20
 15:15,15 24:10,11
directly 6:14
discharging 14:12
discussion 28:6
divide 15:23
docket 2:19 3:17,19
 3:23
document 13:10
documents 14:7
doing 8:19 10:23
 11:15 14:10 29:8
draft 26:10
driver's 6:6
duties 9:1
duty 19:1 28:25

E

either 13:23 15:15

28:6
EI 1:4 2:11 10:2
 11:1 30:20 31:18
employment 6:13
empty 27:24
enforcement 3:5
entire 10:20 21:18
equipment 7:13
 30:2
especially 29:25
ESQ 1:19
events 12:25
Everybody 10:8,9
everyday 12:4
everything's 9:4
example 25:19
experience 17:24
explain 25:11
exterior 25:5
extra 13:4,7 15:10
 15:13 17:7,10
 23:18,23 26:8

F

face 25:22
Factors 4:15
familiar 16:1,2
far 3:10 19:9
Faro 1:4 2:11 10:2
 30:20 31:18
Faro's 11:2
fault 2:14
fifth 16:11,15
final 10:14,14 28:16
 29:8
find 12:7,17
fine 31:20
first 13:15 21:23
flags 31:23
Florida 1:10
follow 29:7 32:11
foot 18:15
fore 19:8 26:4
foreman 7:20,21
 8:3,10 12:9 30:15
 30:16
former 16:5
forum 3:22

forward 17:18,20
 21:2 22:20
forward/aft 25:16
 25:20
four 17:4,12,13
 20:18
front 17:5 22:20
 23:7
full 5:21

G

gang 6:21,23 7:10
general 14:9 23:20
getting 2:9 9:4,5
 32:21
give 6:10 7:11
 10:11,15 11:5
go 2:19 4:3 11:18
 11:21 16:15 19:2
 19:10 21:22 22:8
 23:12 24:22 31:13
goes 3:11,24,24
 16:15,17
good 2:3 22:15
 25:18
great 5:8,19 6:9
 8:24 15:9,9 21:16
grounds 2:25
group 2:5,5 4:13,15
 4:17 29:23
groups 4:21
guarantee 2:15 3:3
Guard 1:13 4:17
 28:20
guy 6:25 7:2,14
 9:12
guys 9:6 11:22

H

hammer 17:2
hand 17:1
handle 29:15
handles 29:14,19
happen 13:12
happened 14:4
happens 10:18
hazardous 26:16
hazmat 27:10,11

heavy 19:1
Hi 4:9
highest 7:22
hold 21:18,19,23
holds 10:7
Horizon 18:11
Hotel 2:8
hours 13:25
HR 4:14
Human 4:15
hurricane 15:20,23
 17:15 19:13 20:15
 21:2,18 22:8,19
 23:6 24:7,15 25:5
 25:9 26:2

I

ideas 24:11
identify 4:6 23:16
immediately 10:22
immunity 2:16 3:4
inboard 19:9
incident 1:4 2:11
include 14:23
included 15:6
increase 2:14
individual 29:4
information 3:24
 3:24 11:3,9 13:16
instance 18:10 28:1
interview 1:7 2:9,18
 3:12 4:5 5:10 33:5
interviewee 1:18
 2:19,24 4:22
interviewee's 2:21
interviewer 2:23
intimately 16:2
introduced 4:4
investigation 2:13
issue 30:8
issues 2:6
item 27:9
items 27:3

J

Jacksonville 1:10
 2:9
job 7:22 28:23

jobs 8:20

K

keep 12:25 13:19

14:2 24:18

Kevin 1:15 4:12

24:17 29:24

kid 6:18

kind 29:12

kinds 8:20

kingpin 16:16,17

16:20

know 3:6,10 6:22

9:6,16 10:12,17

12:6,18 13:19

15:24,25 24:11

25:14,16,22 26:22

27:11 30:5,20

31:3,12,12

Kucharski 1:13 2:3

2:4 3:10,14,19 4:1

4:3,20 5:2,5,8,14

5:17,19,22,24 6:3

6:5,9,23 7:1,5,9

8:2,6,9,12,14,17

8:24 9:7,9,14,19

9:22 10:1,4,7,9,13

10:17 11:7,14,18

11:24 12:2,6,11

12:14,19,24 13:2

13:5,7,10,14,20

13:25 14:4,7,13

14:15,18,21,23

15:2,5,9,13,22

16:2,6,8,14,19

17:7,11,15,17,20

17:23 18:4,6,9,13

18:19,24 19:1,5,7

19:14,18,21,25

20:5,8,12,14,18

20:21,23 21:1,5,7

21:10,15,19,21,24

22:4,18,22 23:1,5

23:11,16 24:6,15

26:8,12,18,24

27:2,6,12,14,25

28:5,9,12,15 29:6

29:6,14,18,22

30:12,13,16 32:11

32:15,18,23,25

33:2,4

L

labor 6:24,24 7:2

9:2,3,3,7 11:16,17

28:13 29:9,15,16

29:20

land 7:17 18:10

landing 7:16

lane 30:1

lash 24:20

lashes 25:10

lashing 7:12,18,24

8:19,21 15:20,23

19:5,13 20:15

21:2,18 22:19,23

23:6,7 26:2

lashings 11:25 12:3

15:16,18,18 17:7

19:9 22:8 23:18

23:24 24:15 25:5

leave 27:16,23 30:1

left 4:5 30:6

legal 2:16 3:4

LESLEY 1:15

Leslie 4:7

let's 18:14 27:8

liability 2:15

license 2:16 3:4

5:23 6:6,6

limited 2:25

Lines 2:12

list 26:12 27:3,7

28:1

literally 13:18

little 12:16

load 13:15,15 27:23

32:8

load-out 11:2

loaded 28:10

loading 7:23 31:7

31:19

lock 16:1,11,21

17:12,21 21:3,13

22:23 23:9 24:19

locked 7:18 17:3

21:4,5,12

locking 16:21

locks 7:18 16:20,21

16:23,25

log 12:25 13:2

long 12:10

longshoreman 7:6

7:8 30:8

longshoremen

30:13

look 2:6 12:4 26:9

looking 11:24 12:2

12:20

lowering 14:14

M

M-A-T-T-H-E-W 6:1

Ma'am 4:6

Maersk 18:11

major 3:22

Making 7:17 9:5,6

man 6:21,23 7:10

7:14 30:7,14

manage 9:2

management 4:11

7:25 8:3

Manager 4:8,14

managing 11:16

28:12 29:9,16

maritime 6:12 7:4

marks 26:10

Marriott 2:8

master 26:12 27:7

28:6 32:12

Mate 17:10 24:10

28:7 32:15,22

■ 1:13 4:16

28:19

matter 19:8,11

20:11 26:1 33:8

Matthew 6:1

mean 3:6 13:22

18:9 19:19 31:21

32:20

mechanism 16:21

meeting 2:8

Melissa 1:14 4:14

23:17

member 8:10,12

members 31:3

mention 11:7

mentioned 2:7 3:14

6:5 17:12 22:7

25:7,8

merely 23:7

mess 26:21

method 15:15,15

middle 19:22

Mike 1:13 2:4 22:17

29:6 30:13

mind 3:11

minute 22:7

minutes 13:19,21

13:23,24

model 26:22

Monday 1:9 5:9

mounts 27:22

moved 7:20,25 8:2

movements 14:24

N

name 4:9 5:20,21

5:21 31:4

National 1:1,23

3:21

nautical 2:6

navigation 2:6

near 27:15

need 12:7,17 16:7

17:8 27:16

Newkirk 9:17,22

11:8 12:21 28:15

28:20

normally 11:21

32:19

noticed 17:24

notify 30:8,14

NTSB 1:4,13 2:4,7

2:15,25 3:3

number 15:16

numbers 27:1

O

O-P-H-E-R 6:1

objections 2:25

October 1:5,9

offer 2:15 3:3
offices 28:10
Oh 12:1,18 22:4
okay 2:3 3:18,25
 4:1,3,20 5:2,4,8,9
 6:3,9 7:5 8:14,24
 9:14,19 10:1,4
 11:7 12:6,11,14
 12:24 14:7,18
 15:5,14,22 16:19
 19:7,14 20:8,14
 22:12 23:2 24:1,5
 24:24 25:2 26:6
 27:25 29:22 30:10
 31:6,16 32:6,10
 32:23 33:4
old 18:10
onboard 31:12
one's 24:21
ones 19:12,15,20
 28:2
opening 27:21
operation 15:1,4
Operation's 4:17
operations 2:5 4:13
 32:4
operator 7:16
opposed 22:22
order 32:21
orders 9:3
ordinary 31:25
outboard 19:9 20:1
outboards 19:12
outside 3:15
oversee 9:4
overseeing 7:16,22
owned 2:12

P

P-O-R-T-U-S 5:17
P-R-O-C-E-E-D-I-...
 2:1
p.m 2:2 33:9
parallel 25:15
parked 16:12 20:10
parking 30:4
part 23:22 29:10
particular 12:21

 28:7
people 31:2
Perfect 14:13,13
period 24:8
person 12:8
personal 4:22,24
personally 31:13
persons 31:11
physically 11:19
 12:12,20
piece 17:1
pin 22:24
place 27:18
places 26:13,19
plan 10:2,5,10,13
 10:14,21 27:9
plans 9:10,11,15,20
 12:22,22 29:8,8
pleasant 31:8
please 3:16 5:12,22
 5:24 16:8
point 22:3
points 18:16
police 3:6
port 19:23
port/starboard
 25:20
Portus 1:15 4:8,19
 4:21 5:16,17 7:1
 26:9
position 6:11,15
 8:25 27:1
positions 25:18
 26:24,25 27:4
powers 3:5
practice 20:24 24:7
pre 12:21 28:16
pre-stow 9:15 10:5
 10:10,13,24,24
 11:3 28:16 29:8
pre-stows 26:20
present 1:18 8:25
pretty 29:11 30:24
Previous 6:18
previously 7:3
probable 3:8
probably 11:10
 30:23

proceed 13:11
process 28:17
produced 1:23
provided 1:23
public 2:19 3:17,19
 3:24,24
pulled 25:14
pure 3:7
purely 9:7
purpose 2:13
purposes 27:22
put 3:17 13:11 14:5
 15:16,18,24 17:7
 19:2,5 20:18,21
 21:1 23:19 26:13
 27:8,15,17
putting 10:19,23
 14:15,21 26:19

Q

question 23:14
 32:12
questions 3:1 4:1
 23:1 29:22 33:2

R

ramp 14:21 21:23
 27:22
rapport 31:2
ready 2:9
really 12:17
reason 24:9
recall 11:20
receipt 13:3,6,7
 14:8 15:10,13
 26:8
recollect 12:2
record 5:20 16:8
 33:9
red 31:23
refrain 3:1 8:18
regard 30:20 31:17
regular 24:7
related 6:12 31:8
relating 2:10 6:14
released 3:20
repeat 23:3,5
rephrase 27:7

representative 2:20
 2:22 4:22,25
representative's
 2:24
representatives
 2:23
request 3:15 23:21
requested 17:9,10
 20:22,23 21:25
 22:1 23:19
response 33:3
restrictions 26:13
 26:16,19
right 3:20 14:6,20
 15:14 22:19 25:17
 25:21,23,23,25
 30:21,24 31:24
Risk 4:7
road 18:15
Robert 1:19 4:18
role 4:25 7:20
roles 29:4
roll 14:18 16:1,11
 16:21 17:12,21
 21:3,13 22:23
 23:8,9 24:18
RoLo 2:11 14:18
room 4:4
RoRo 14:25 16:10
 16:13
rotate 9:12,18
 29:13
round 17:6 20:17
 24:2,13,16
routinely 30:24
runs 11:21

S

safety 1:1,23 2:14
 3:21 30:1,2
sails 26:10
saying 22:10
says 3:2
school 6:19
schooling 6:12
screws 17:1
Sea 18:10
seasonal 15:21

seasonally 15:16
seasons 15:17
SeaStar 2:12 9:3
 18:1,4,6
second 16:14 29:25
secure 18:16
securing 8:22
see 13:25,25 30:23
 31:1
send 3:16
September 11:2
Serridge 1:14 4:14
 4:14 23:14,17,17
 23:23 24:1,3,5
Service 15:11,13
services 1:14,15
 4:12,15 5:16,19
 7:4 13:4,8 23:18
 24:17 26:9 29:24
set 29:11
sheet 27:2
shelf 25:6
Shepherd 1:14 4:9
 4:9 22:3,5,5,7,12
 22:15,17 23:3,10
 25:3,3,17,21,23
 25:25 26:3,6
 30:19,19,23 31:1
 31:6,11,16,22,24
 32:2,6,10,24
shifting 14:15
ship 2:11 7:20 8:3
 8:10,22 9:15,15
 10:9 11:11,12,15
 11:19,22,22 12:9
 19:22 20:3,4,10
 20:12 21:8 22:13
 23:25 24:1,2 25:9
 25:12,15,24 26:4
 26:10,19 27:4
 30:15,16,24 32:4
Shipping 4:10 18:6
shows 26:21,23
side 19:23,24,25
 20:2 21:8 25:6
sides 20:4
sir 3:9 4:2 5:1,18
 6:8 8:5,11,13,16

8:23 10:3,6,8
 12:13,23 13:13
 14:22 15:8,12
 16:18 17:14,19
 18:25 19:4,6 20:7
 20:13,20,25 21:6
 21:9,20 22:6,16
 22:25 23:13 24:9
 24:16 26:5,5 28:8
 28:11,22 29:2,5
 29:10,17,21 30:4
 30:18,22,25 31:15
 31:23 32:1,5,9
 33:7
situation 31:17
SIU 8:8,9,10,12
six 13:18,20,23
 24:25 25:2
size 26:14,21
sledge 17:2
slowly 6:22
somebody 12:15
 32:21
soon 21:22
sorry 2:10,23 5:5
 10:24 12:14 13:5
 20:9 21:19 23:2
 23:17
space 27:16,24
 30:6
special 28:5
specific 26:13
spell 5:20
stability 10:25
standard 18:14
 20:24 22:23 23:6
 25:13
starboard 19:24,25
start 4:4 5:10
started 6:21 7:12
 8:19
stay 27:21
Stith 1:15 4:12,12
 24:17,17,24 25:2
 29:24,24 30:7,10
Stocker 1:15 4:7,7
stop 3:2 16:14 33:4
stow 9:10,11,15,20

10:2,14 12:22,22
 15:24 26:13,24,25
 27:1,9,9 28:16
 29:8,12,19
stowing 11:5,13
 27:4 29:25
stows 9:16 26:14
 26:14 27:8 29:11
straight 25:15
summary 2:18
sun 24:23
superintendent
 5:13,14 6:10 8:4
 8:18,25 9:24
 28:21
supervising 11:17
supposed 19:12
 27:3
sure 3:16 6:4 7:17
 9:4,5,6 11:22 17:3
 22:4,18 23:4 30:6
switch 29:19
system 10:20,23
 16:1
Systems 4:11

T

take 15:6
talk 18:14 29:15
 32:12,15,19
talking 6:7 20:5
 26:15,18 27:11
 31:16
tape 3:11
tell 5:11 7:9 9:1
 15:14 16:9 28:2
testify 2:22
Thank 5:8 6:3 16:19
 22:15 25:2 26:6
 30:10 32:10,24,25
 33:5
Thanks 22:17
thing 10:4
things 12:8,16,20
 13:12 27:8,14
 30:2 31:9
think 3:14 4:23
 18:18 27:6

third 19:17 21:17
 21:23
Three-A 21:17
thwart 20:10,12
 22:13 25:9,11
 26:4
tight 30:5
tighten 17:1,2
time 7:6 9:12,12
 10:20,21 15:6
 23:20 29:1 31:6
 33:6
times 13:11
title 5:11 28:20
top 7:14,14
TOTE 1:14,15 4:12
 4:15 10:11,15
 17:25 23:18 24:17
 29:24
TOTE's 10:23
tows 22:1,2
track 13:19 14:2
trailer 16:12,16
 17:5,21,22,23
 18:15,22,24 20:10
 20:12 23:9,11
 26:3 27:17
trailers 16:10 17:24
 18:1,2,7,11,13,14
 18:16 19:9 25:1,5
 25:14,19 27:21
 30:1,5
transcript 1:23 2:18
 3:16
Transportation 1:1
 1:23 3:21
trap 12:15
triangle 16:25
trip 23:20
truck 16:12,15
trying 12:14,15
 27:6
Tuesday 32:9
turns 16:25
Twist 7:18
two 9:18 17:5,5,17
 17:18,20 19:8,8
 21:2,2,13,15

22:20,24 23:7
24:22
tying 7:13
type 2:6 3:6 12:24
13:15 18:15 19:2
26:15
typical 15:22
typically 24:19 30:1

U

U.S 1:13
Um-hum 15:2 18:5
23:10 26:17 28:24
understand 12:15
13:24 18:3 23:4
25:4 27:5
union 7:22 8:6,7
unions 8:14
unlashed 9:5
unlashing 14:11
unloading 7:23
use 30:1
usually 29:11,12
30:8

V

variety 31:9
various 31:7
ventilation 27:15
27:22,24
versus 26:4
vessel 5:13,14 6:10
8:3,18,25 11:5
12:5 16:22,22,23
19:16 22:2 28:21
29:7,25
vessels 16:13
29:11
voiced 32:3
voyage 28:7

W

wall 19:20,21,22
20:2 30:6
want 24:12 25:8
27:15,17,19
wants 4:24 24:11
24:12

Washington 3:22
wasn't 11:5,13
watch 30:7,14
way 3:20 6:22 7:10
7:14 19:16 20:1
22:11 25:13,22
we'll 3:16 5:9 11:7
we're 2:8,9 25:4
30:4 32:20
we've 22:1,1
weather 7:15
weekly 30:20
welcome 3:15 26:7
30:11 33:1,7
went 6:18,19 8:3
33:8
wheel 16:11,15
wings 19:16,17,17
19:18 20:6 22:11
wise 31:25
work 5:15 6:19 9:22
31:7
worked 6:22 7:1,13
8:18 32:7
working 7:10 9:6
11:11,12,14,23
wouldn't 27:8,15
wrap 14:16

X

Y

Y 6:2
year 15:20 17:6
20:17 24:2,13,16
years 6:17

Z

0

1

1 1:5 13:23
1:26 2:2
1:53 33:9
10.1 14:5
10:00 14:11
10:06 14:5,11,11
10:24 14:11,14

10:36 14:14
12 1:9 13:23
12th 5:9 33:5
1326 5:9
1353 33:5
18 6:17

2

2 13:23
2015 1:5,9
28th/29th 11:2

3

3 23:24
3A 21:19 22:8,14
3B 22:10
3C 19:17 22:10
25:19
3D 19:16 22:7,8,10

4

40 18:15

C E R T I F I C A T E

MATTER: El Faro Incident
Accident No. DCA16MM001
Interview of Chris Deberry
Jacksonville, Florida

DATE: 10-12-15

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14	16	wrap	ramp	AGREE
14	18	Rolo	RoRo	Do not agree. Transcript is correct as is.
16	1, 11, 21	roll lock box	roloc box	AGREE
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17	21	roll lock	roloc	AGREE
20	10, 12	thwart ship	athwartship	Do not agree. Transcript is correct as is.
21	3	roll lock box	roloc box	AGREE
21	13	roll lock boxes	roloc boxes	AGREE
22	1, 2	tows	Tote	AGREE
22	23	roll lock box	roloc box	AGREE
23	9	roll lock box	roloc box	AGREE
24	18, 19	roll lock box	roloc box	AGREE
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